

## BRACEWELL

By **4:00 p.m. today**, the Government shall file a letter stating its position, if any, on the matters set forth below.

September 14, 2023

The Court hereby vacates Defendant's September 15 deadline to provide his classified written summary. The deadline will be re-set following consideration of the Government's response.

### VIA ECF

The Clerk of Court is directed to terminate ECF No. 64.

The Honorable Jennifer H. Rearden  
United States District Judge  
500 Pearl St.  
Southern District of New York  
New York, NY 10007-1312

SO ORDERED.

A handwritten signature in black ink that reads "Jennifer H. Rearden".

Jennifer H. Rearden, U.S.D.J.

Date: Sept. 15, 2023

Re: *United States v. Charles McGonigal*, No. 1:23-cr-00016-JHR

Your Honor,

We write as counsel for Defendant Charles McGonigal to respectfully request a one-week extension of time from September 15, 2023 until September 22, 2023 to provide the government a classified written summary of a supplement to the defendant's sentencing submission, for classification review and verification of certain dates and other information inaccessible to us, and to apprise the Court of the timing of our anticipated meeting with the Probation Department to assist in its preparation of the presentence investigation report ("PSR").

This request for an extension is the result of technical difficulties we encountered when we attempted to complete the classified draft in the SCIF last week. More specifically, despite earnest assistance provided by the Classified Information Security Officer ("CISO"), we could not successfully connect the designated computer to the appropriate printer and lost a substantial amount of time in futile efforts to do so. While we made significant progress on the draft, it is not yet complete, nor could we print any portion of it. Since then, we have been in regular communication with the CISO team, and they have offered to meet with us early next week in the defense SCIF to resolve the technical issue and permit us additional time to complete the draft. Accordingly, we respectfully request a modest extension of one week, due to these technical difficulties.

In addition, we write to apprise the Court that we have been in touch with the Probation Department regarding Mr. McGonigal's PSR interview. We have been gathering the information necessary to satisfy the needs of the Probation Department and are currently scheduled to meet with Probation the week of September 27, 2023. We apprise the Court of this timing because it is relevant to Probation's available time to complete the PSR in anticipation of sentencing, and is likely to delay Probation's first disclosure of the report to the parties and the Court. Accordingly,

Seth D. DuCharme  
Meagan C. Maloney

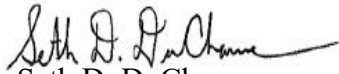
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Hon. Jennifer H. Rearden  
September 14, 2023  
Page 2

we respectfully seek an extension of time for probation to make its first disclosure of the PSR from October 6, 2023 to October 20, 2023, which may not impact the current sentencing date of December 14, 2023.

Respectfully submitted,

  
Seth D. DuCharme  
Meagan C. Maloney